



1F12 3763

PATENT  
Customer No. 22,852  
Attorney Docket No. 8386.0003

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
)  
Dennis W. WAHR et al. ) Group Art Unit: 3763  
)  
Application No.: 09/845,162 ) Examiner: N. Lucchesi  
)  
Filed: May 1, 2001 )  
)  
For: EMBOLI PROTECTION DEVICES ) Confirmation No.: 2628  
AND RELATED METHODS OF )  
USE )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents on the attached listing. To the undersigned's knowledge, this Information Disclosure Statement is being filed before the mailing date of a first Office Action after the filing of a Request for Continued Examination in the above-referenced application.

Copies of the U.S. patent publications are not enclosed. Copies of foreign references are enclosed.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the U.S. Patent Office the relevant facts and law regarding the appropriate status of such documents.

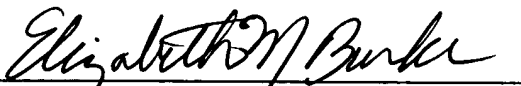
Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: September 1, 2005

By:   
Elizabeth M. Burke  
Reg. No. 38,758

IDS Form PTO/SB/08: Substitute for form 1449A/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)			<b>Complete if Known</b>		
Sheet	1	of	2	Application Number	09/845,162
				Filing Date	May 1, 2001
				First Named Inventor	Dennis W. WAHR et al.
				Art Unit	3763
				Examiner Name	N. Lucchesi
				Attorney Docket Number	08386.0003

U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS					
Examiner Initials	Cite No. <sup>1</sup>	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US-6,908,474 B2	21 June 2005	Hogendijk et al.	
		US-6,905,490 B2	14 June 2005	Parodi	
		US-6,902, 540 B2	7 June 2005	Dorros et al.	
		US-6,896,663 B2	24 May 2005	Barbut	
		US-6,887,227 B1	3 May 2005	Barbut	
		US-6,887,220 B2	3 May 2005	Hogendijk	
		US-6,878,128 B2	12 April 2005	MacMahon et al.	
		US-6,855,136 B2	15 Feb. 2005	Dorros et al.	
		US-6,849,068 B1	1 Feb. 2005	Bagaoisan et al.	
		US-6,840,949 B2	11 Jan. 2005	Barbut	
		US-6,837,881 B1	4 Jan. 2005	Barbut	
		US-6,830,579 B2	14 Dec. 2004	Barbut	
		US-2005/0159640 A1	21 July 2005	Barbut et al.	
		US-2005/0154298 A1	14 July 2005	Barbut	
		US-2005/0149112 A1	7 July 2005	Barbut	
		US-2005/0131453 A1	16 June 2005	Parodi	
		US-2005/0124973 A1	9 June 2005	Dorros et al.	
		US-2005/0124849 A1	9 June 2005	Barbut et al.	
		US-2005/0090854 A1	28 April 2005	Barbut	

**Note: Submission of copies of U.S. Patents and published U.S. Patent Applications is not required.**

FOREIGN PATENT DOCUMENTS						
Examiner Initials	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
		WO 03/007797 A2	30 Jan. 2003	MacMahon et al.		
		WO 04/011058 A2	5 Feb. 2004	Hogendijk		

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation <sup>6</sup>

Examiner Signature	Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Complete if Known

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet

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of

2

Application Number

09/845,162

Filing Date

May 1, 2001

First Named Inventor

Dennis W. WAHR et al.

Art Unit

3763

Examiner Name

N. Lucchesi

Attorney Docket Number

08386.0003

## U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS

Examiner Initials	Cite No. <sup>7</sup>	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>8</sup> (if known)			
		US-2005/0085769 A1	21 April 2005	MacMahon et al.	
		US-2005/0020973 A1	27 Jan. 2005	MacMahon et al.	
		US-2005/0010247 A1	13 Jan. 2005	Kusleika et al.	
		US-2005/0004594 A1	6 Jan. 2005	Nool et al.	
		US-2005/0004517 A1	6 Jan. 2005	Courtney et al.	
		US-2004/0054348 A1	18 March 2004	Hogendijk	
		US-2004/0019310 A1	29 Jan. 2004	Hogendijk	
		US-2003/0191434 A1	9 Oct. 2003	Dorros et al.	
		US-2003/0040694 A1	27 Feb. 2003	Dorros et al.	
		US-2001/0047184 A1	29 Nov. 2001	Connors, III	

Examiner  
SignatureDate  
Considered

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